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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,621	03/08/2001	Jan Gerben Wijnstra	NL000122	8300

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EXAMINER

PATEL, HARESH N

ART UNIT PAPER NUMBER

2154

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/801,621

Applicant(s)

WIJNSTRA, JAN GERBEN

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-7 are presented for examination.

***Response to Amendment***

2. The amendment to the specification, i.e., replacement of the second paragraph on page 4 of the specification, filed on 10/18/2004, is acknowledged.

***Response to Arguments***

3. Applicant's arguments filed 11/26/04 have been fully considered but they are not persuasive. Therefore, rejection of claims 1-7 is maintained.

Applicant argues, (1) McDevitt et al. "Portable sensor array system", US Publication, 2003/0186228 A1 Oct., 2, 2003 (Hereinafter McDevitt) and Java 2 Platform, Enterprise edition, J2EE, Sun Microsystems, 12/17/1999 (Hereinafter Shannon-Sun), fails to disclose a skeleton software architecture having generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides provide for specific issues." The examiner disagrees in response to applicant's arguments. The limitation, "a skeleton software architecture having generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides provide for specific issues", has been newly added, which is addressed by the new ground(s) of rejection (see rejection of claims 1 and 7 of this office action), necessitated by the applicant's amendment. Therefore the rejection is maintained as disclosed below.

Applicant argues (2) "Teachings of McDevitt and Shannon-Sun are improperly combined, and there is not motivation or suggestion and a reasonable expectation of success". The examiner respectfully disagrees in response to applicant's arguments. McDevitt clearly indicates that his invention can utilize known prior techniques and can be modified (e.g., paragraph 626, col., 64). Also, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of a primary reference. It is also not that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. In re Keller, 642 F.2d 414, 425, 208 USPQ 871, 881 (CCPA 1981); In re Young, 927 F.2d 588, 591, 18 USPQ2d 1089, 1091 (Fed. Cir. 1991). The motivation to combine the references is to utilize Shannon-Sun's teachings of the interfaces and classes that can help initializing the services, assesses available services, and maintains a list of available services. The system of McDevitt is implemented using the concept of component-based techniques, and/or object-oriented techniques. The available interfaces and classes would help develop a system to handle the services for the system. Therefore the rejection is maintained as disclosed above.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 6 and 7, are rejected under 35 U.S.C. 102(e) as being anticipated by McDevitt et al. "Portable sensor array system", US Publication, 2003/0186228 A1 Oct., 2, 2003 (Hereinafter McDevitt) in view of Skeen et al. 5,257,369 (Hereinafter Skeen).

6. As per claim 1, McDevitt teaches a computer readable medium containing a computer program for managing a family of systems having a shared family architecture (e.g., component-based techniques, and/or object-oriented techniques, col., 43, paragraph 425) based upon commonly used generic blocks of software (e.g., use of ActiveX controls, JavaBeans, Microsoft foundation classes, col., 43, paragraph 425) and wherein

a component framework that comprises a skeleton of software architecture (e.g., component-based techniques and/or object-oriented techniques, col., 43, paragraph 425) and supports participating software plug-in components (e.g., use of ActiveX controls, JavaBeans, Microsoft foundation classes, col., 43, paragraph 425);

individual software plug-in components provides one or more services/functions (e.g., inherent functionality of Javabeans, paragraph 425); and

the component framework defines roles/actions (e.g., configuration of analysis software by the component-based techniques and/or object oriented techniques, col., 43, paragraph, 423) providing one or more common interfaces for communication of series of several plug-in components (e.g., use of component-based and/or object-oriented interfaces, col., 43, paragraph 419 and 420) that manipulate hardware associated with the component framework (e.g., parts the system to serve patient, i.e., x-ray detector/sensor/bed, utilizing component-based techniques

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and/or object-oriented techniques, col., 43, paragraph 419 and 420, col., 16, paragraphs 187-194).

McDevitt does not specifically mention about “a skeleton software architecture having generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides provide for specific issues”.

Skeen clearly teaches a skeleton software architecture having generic and specific requirements (e.g., col., 25, lines 28 - 53, figure 16), wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides provide for specific issues (e.g., col., 25, lines 28 - 53, figure 16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of McDevitt and Skeen in order to facilitate utilizing a software architecture having specific requirements and generic requirements. The motivation would be obvious, because the system of McDevitt is implemented using the concept of component-based techniques, and/or object-oriented techniques, and with Skeen’s software architecture having generic requirements for generic service interfaces and specific requirements for specific issues, would help develop a system to handle interfaces for the generic services and special services differently.

7. As per claim2, McDevitt teaches the following

the component framework includes an inventory function for assessing available services in the participating plug-in components (e.g., central data service performing a test to check the available supporting services supported by the software modules, paragraph 460, col., 47).

8. As per claim 6, McDevitt teaches the following

the family members are medical diagnostic systems comprising an x-ray examination apparatus (e.g., parts the system to serve patient, i.e., x-ray detector/sensor/bed, utilizing component-based techniques and/or object-oriented techniques, col., 43, paragraph 419 and 420, col., 16, paragraphs 187-194).

9. As per claim 7, McDevitt teaches a complex system (e.g., portable sensor array system, title), comprising an x-ray examination apparatus having a computer readable-medium comprising software architecture (e.g., x-ray detector/sensor of the system utilizing component-based techniques and/or object-oriented techniques, col., 43, paragraph 419 and 420, col., 16, paragraphs 187-194) and wherein

a component framework that comprises a skeleton of software architecture (e.g., component-based techniques, and/or object-oriented techniques, col., 43, paragraph 425) and supports participating software plug-in components (e.g., use of ActiveX controls, JavaBeans, Microsoft foundation classes, col., 43, paragraph 425);

individual software plug-in components (e.g., use of ActiveX controls, JavaBeans, Microsoft foundation classes, col., 43, paragraph 425) providing one or more services (e.g., inherent functionality of Javabeans, paragraph 425) including rotation displacements of

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components of an X-ray apparatus including X-ray source and X-ray detector, and a patient table (e.g., parts the system to serve patient, i.e., x-ray detector/sensor/bed, utilizing component-based techniques and/or object-oriented techniques, col., 43, paragraph 419 and 420, col., 16, paragraphs 187-194), and

the component framework defines roles/actions (e.g., configuration of analysis software by the component-based techniques and/or object oriented techniques, col., 43, paragraph, 423) that provide one or more common interfaces for communication of services of several participating software plug-in components (e.g., use of component-based and/or object-oriented interfaces, col., 43, paragraph 419 and 420).

10. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDevitt and Skeen in further view of Java 2 Platform, Enterprise edition, J2EE, Sun Microsystems, 12/17/1999. (Hereinafter Shannon-Sun).

11. As per claims 3-5, McDevitt and Skeen teach the claimed limitations rejected under claim 2. McDevitt and Skeen does not specifically mention about the claimed limitations of claims 3-5. It is well known in the art, to implement an inventory function utilizing APIs that can implement the claimed limitations of claims 3-5, for example, Shannon-Sun, teaches the following:

the inventory function, includes initializing the services (e.g., use of interfaces and classes to initialize services, section 2.1, chapter 2), assesses available services at initialization of the system or during run-time of the system (e.g., use of interfaces and classes to evaluate present services, section 2.1, chapter 2), and maintains a list of available services (e.g., use of



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interfaces and classes to monitor the present number of services in the system, section 2.1, chapter 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of McDevitt, Skeen and Shannon-Sun in order to facilitate a function to initializing the services, assesses available services, and maintains a list of available services. McDevitt clearly mention that his system uses software modules to maintain the system, which are based on component-based techniques, and/or object-oriented techniques. Shannon-Sun discloses the interfaces and classes that can help initializing the services, assesses available services, and maintains a list of available services. The motivation would be obvious, because the system of McDevitt is implemented using the concept of component-based techniques, and/or object-oriented techniques, and with the well-known available interfaces and classes would help develop a system to handle the services for the system.

### *Conclusion*

12. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

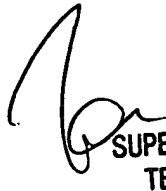
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

January 3, 2005

 **JOHN FOLLANSBEE**  
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